

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY
LITIGATION**

MDL NO. 16-2738 (MAS) (RLS)

**PLAINTIFFS' MOTION TO SEAL ACCOMPANYING EXHIBIT A TO
PLAINTIFFS' STEERING COMMITTEE'S LETTER TO JUDGE
MICHAEL A. SHIPP AND JUDGE RUKHSANAH L. SINGH**

Pursuant to Rule 5(d) of the Federal Rules of Civil Procedure and Local Civil Rules 5.3(c) and 7.1, Plaintiffs, by and through Plaintiffs' Steering Committee, hereby move the Court to file Exhibit A to Plaintiffs' Steering Committee's Letter to Judge Michael A. Shipp and Judge Rukhsanah L. Singh (Doc. 27756-1) under seal.

Exhibit A to the Plaintiffs' Steering Committee's letter is a Declaration by Professor Lynn Baker, the Frederick M. Baron Professor of Law at the University of Texas School of Law. Professor Baker is an expert in legal ethics. The Declaration contains Professor Baker's analysis of the potential appointment of Freda L. Wolfson, U.S.D.J. (ret.) for the limited purpose of addressing *Daubert*-related disputes and motions in this matter. The Declaration states sensitive information in support of the PSC's position that applicable law precludes Judge Wolfson's appointment that the PSC believes should be under seal. Finally, the matters

presented in the Declaration arise out of specific facts involving this case alone, and there is no public interest for having access to this information. The matters involve issues and information that are of interest solely to the parties in the case.

A proposed form of Order has been simultaneously submitted.

Dated: September 19, 2023

Respectfully Submitted,

/s/ Michelle A. Parfitt

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CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive services in this MDL.

Respectfully submitted,

s/ P. Leigh O'Dell

P. Leigh O'Dell